

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00035

**Terry Parker-Reed,**  
*Plaintiff,*

v.

**Lucas Machicek,**  
*Defendant.*

**ORDER**

Plaintiff Terry Parker-Reed, proceeding pro se, filed this lawsuit complaining of alleged violations of his rights pursuant to 42 U.S.C. § 1983. This case was referred to United States Magistrate Judge John D. Love. On June 21, 2022, the magistrate judge issued a report recommending that defendant's motion for judgment on the pleadings (Doc. 6) be granted and the above-styled civil action be dismissed with prejudice until such time as plaintiff shows that his conviction has been overturned, expunged, or otherwise set aside. Doc. 7. The magistrate judge stated that the dismissal of this lawsuit should have no effect upon plaintiff's right to challenge his conviction through any lawful means, including but not limited to seeking habeas corpus relief in state or federal court. *Id.*

Plaintiff did not file objections to the report. When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Defendant's motion for judgment on the pleadings (Doc. 6) is granted. Plaintiff's lawsuit is dismissed, with prejudice, until such time as plaintiff shows that his conviction has been overturned, expunged, or otherwise set aside. The dismissal of this lawsuit should have no effect upon

plaintiff's right to challenge his conviction through any lawful means, including but not limited to seeking habeas corpus relief in state or federal court. All motions pending in this civil action are denied.

*So ordered by the court on August 24, 2022.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge